

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
HOWARD COUNTY DEPARTMENT	*	HOWARD COUNTY
OF PUBLIC WORKS		
	*	HISTORIC PRESERVATION
FOR A CERTIFICATE OF APPROVAL		
FOR EXTERIOR ALTERATIONS	*	COMMISSION
AT 8081 MAIN STREET		
ELLCOTT CITY, MARYLAND	*	Case No. 19-27

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### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of the Howard County Department of Public Works (“Applicant”), for a Certificate of Approval for exterior alterations at 8081 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative for the Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District and is also listed on the Historic Sites Inventory as HO-360, the Boone House and most recently housed the business Tea on the Tiber. The building dates circa 1833-1834. The building was damaged in the May 2018 flood.

#### **B. Proposed Improvements**

The applicant proposes to make the following repairs and alterations:

- 1) Remove plywood over existing front and side entrances and install new wood full light doors to match those that existed prior to the May 2018 flood. Restore 3-light wood transom on side door.
- 2) Install operable wood paneled shutters on the front first floor windows.
- 3) Remove the plywood between the doors on the rear of the building and install new wood German lap siding to match the existing. Fix the doors on the rear of the building in place.

- 4) Remove a section of aluminum fencing and wood deck boards, leaving only the beams in place.
- 5) Paint all new items to match the previously existing colors (maroon doors, dark green shutters, tan siding).
- 6) Patch and repair any damaged wood to match the existing and paint to match.

**C. Staff Report**

***Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances***

- 1) *Chapter 6.G recommends, “when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish.”*

The proposed full light wood door will match the previously existing door that was destroyed in the 2018 flood and complies with the Guideline recommendations.

***Chapter 6.I: Rehabilitation and Maintenance of Existing Buildings, Shutters and Blinds***

- 2) *Chapter 6.I recommends:*

- a. *“For replacements, install shutters or blinds that maintain the size, style and placement of the original.*
- b. *“Install shutters or blinds of painted wood. Shutters or blinds should be correctly sized for the window and operable, or at least appear operable with hinges and hold backs (shutter dogs) appropriate to the period of initial construction.”*

The proposed wood, paneled replacement shutters will match those historically on the building and will be operable. The proposed shutters comply with the Guideline recommendations.



***Chapter 6.D: Rehabilitation and Maintenance of Existing Buildings; Wood Siding, Shingles and Logs***

- 3) *Chapter 6.D considers the following to be Routine Maintenance, “replacing deteriorated siding or shingles with materials that exactly match the existing siding or shingles and do not cover or alter details such as cornerboards, door and window trim and cornices.”*

The proposed siding replacement will match the existing German lap siding and is considered Routine Maintenance.

***Chapter 5: Routine Maintenance***

- 4) *Chapter 5 states the following is Routine Maintenance, “painting previously painted surfaces using the same color.”*

The doors, shutters and siding will all be painted to match the previously existing colors, and is considered Routine Maintenance.

***Chapter 4: The Secretary of the Interior’s Standards for Rehabilitation***

- 5) *Standard 10 states, “New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”*

The deck boards to be removed and section of black aluminum fencing are new construction and not historic. They are also attached to a modern addition, and not directly attached to the historic structure. The removal of these modern features complies with Standard 10 as the historic structure will not be impacted.

**D. Staff Recommendation**

Staff recommends the HPC approve the application as submitted.



**E. Testimony**

Mr. Shad asked if there was anyone in the audience that was in opposition to the application that would like to testify. There was no one in the audience who wanted to testify. Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works. Mr. Shad asked if Mr. Hollenbeck had any corrections or additions to the staff report. Mr. Hollenbeck stated he had nothing to add.

Mr. Reich asked if the door that will be installed will have the current finish. Mr. Hollenbeck clarified that the door will be painted to match the doors that were previously there and will be a maroon color. Mr. Reich asked for clarity on the exposed beams. Mr. Hollenbeck explained the deck at the rear of the building is supported by a series of steel beams/wide flange sections. He said that DPW is proposing to remove the decking but leave the wide flange sections in place at this time, but said the beams will likely be removed at a later date, pending conclusion of the Section 106 process. Mr. Hollenbeck explained that the impetus behind the request to remove the decking and fix the rear doors in place was to alleviate the chance that anyone could go back or have access to the rear of the building since there will be no rear access moving forward. Mr. Reich asked how the door will be fixed in place. Mr. Hollenbeck said that the two remaining doors will be screwed in place. Ms. Zoren asked if the deck will be rebuilt or if the whole deck structure would be removed. Ms. Hollenbeck said that the structure would be removed in a separate case, pending completion of the Section 106 process.

Ms. Holmes amended the staff report to explain the shutters are missing from the building and that is why they are being reinstalled with a replacement in-kind. Mr. Hollenbeck said the windows are in good shape along the front of the building. He explained that at the

rear of the building there were four doors, and said that two doors are in good enough condition to be repaired and fixed in place to make them inoperable, but look aesthetically pleasing. He explained that for the remaining opening between the other two doors, where there were previously French doors, DPW is proposing to fill that space in with German lap wood siding to match what is on the building now and paint the siding to match.

Mr. Shad asked if the proposed work is mostly cosmetic to make the building's doors look like they are operable. Mr. Hollenbeck stated the building will be inoperable until the completion of the storm water management mitigation projects.

Ms. Holmes clarified and amended the staff report to reflect that the rear addition of the building, in which the doors are being replaced with siding, is a non-historic addition.

**F. Motion**

Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:



It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work on a historic building damaged during the 2018 flood. The Applicant will replace missing doors with full-light wood doors that match the previously existing door and will restore a 3-light wood transom on the side door. Similarly, the proposed wood, paneled replacement shutters will match those historically on the building and will be operable. This work is in keeping with Guidelines recommendations to replace damaged historic materials in-kind.

The Applicant also proposes to remove elements of the modern addition at the rear of the structure. This includes deck boards and a section of black aluminum fencing. They are attached to the modern addition, not the historic structure. Similarly, the Applicant will



replace modern French doors that were lost in the flood, with German lap siding to match the existing. The removal of these modern features complies with Guideline recommendations as the historic structure will not be impacted.


For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.


**ORDER AND CERTIFICATE OF APPROVAL**

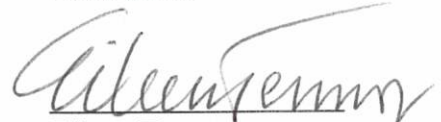
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

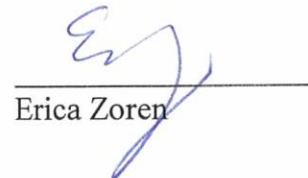
**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

  
Allan Shad, Chair

  
Bruno Reich


  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
HOWARD COUNTY DEPARTMENT  
OF PUBLIC WORKS

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 8085-8089 MAIN STREET  
ELLICOTT CITY, MARYLAND

\* BEFORE THE  
\* HOWARD COUNTY  
\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-28

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### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of Howard County Department of Public Works (“Applicant”), for a Certificate of Approval for exterior alterations at 8085-8089 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.



### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative of the Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920, but was severely damaged in a November 1999 six alarm fire.

#### **B. Proposed Improvements**

The applicant proposes to make the following repairs and alterations:

- 1) Remove plywood over the existing entrance doors and windows.
- 2) Replace the windows with new wood windows to match the previously existing casement and picture windows (prior to 2018 flood).
- 3) Replace door with a full light wood door, painted black, to match the previously existing.
- 4) Paint façade elements at first floor level (below cornice/trim) as needed. Paint colors to match existing.
- 5) Replace any damaged siding, masonry or trim to match the existing using in-kind materials and colors.

- 6) Remove awning and support posts.
- 7) Remove existing mosaic tile floor at entryway. A concrete floor will be installed in this location and the basement is being infilled with flowable fill and a concrete slab. A future application will include a new floor for the entryway.

**C. Staff Report**

Storefront Windows

***Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings, Windows***

- 1) *Chapter 6.H recommends, “when repair is not possible, replace original windows, frames and related details with features that fit the original openings and are of the same style, material, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing.”*

***Chapter 6.K: Rehabilitation and Maintenance of Existing Buildings, Storefronts***

- 2) *Chapter 6.K recommends, “preserve the form and details of existing historic storefronts. Uncover or replace architectural detailing that has been obscured by later additions.”*

***Chapter 5: Routine Maintenance***

- 3) *Chapter 5 states the following is Routine Maintenance, “painting previously painted surfaces using the same color.”*

After the 2016 flood the previous owner was approved in November 2016 in case HPC-16-101 to make alterations to the storefront consisting of:

- Replace the framed walls below the storefront windows with concrete block. Replace framing and panels around concrete block to match the previously existing design. The walls may be raised 6 to 8 inches higher than the existing walls, depending on the

coursing of the block. If the wall is raised, the size of the windows would decrease as well.

- Replace the storefront windows on the front of the building with impact resistant glass set into an inswing operable frame and sash. The current windows are not operable.
- Rebuild the front entrance in a slightly different configuration. The two side doors would be removed and the main door brought forward to enlarge the width of the door to 3 feet for better egress. The previously existing side panels would be resized to 3 feet wide as well. Impact resistant glass will be used. This reconfiguration will allow a larger door and create a larger foyer space upon entering the building, which was previously very small.

The alterations were allowed with the intent of providing better protection for future flooding. However, the knee walls were not reinforced with concrete block, which was discovered after the 2018 flood, which was the impetus for the entire storefront renovation after the 2016 flood. The difference in the profile detailing from the previously existing storefront windows (prior to 2016) and the casement windows was not evident at time the alteration was approved in HPC-16-101. The casement windows have a very bulky profile and trim, whereas the previous windows were more historically appropriate with a narrow profile and trim. The storefront window arrangement prior to the 2016 flood was not historic, as the storefront has been altered over the years, but it was more compatible with the building than the current arrangement. The windows should be restored to the condition prior to the 2016 flood. The current windows are white, but if restored correctly, should be painted black to match the previously existing narrow frames and existing windows on the upper floors of the building. The casement windows do not comply with the Guidelines as the profile detailing



was significantly different and detracts from the architectural integrity of the storefront, as shown in Figure 6 and 7 below. Restoration to pre-2016 flood conditions would better comply with Chapter 6.K of the Guidelines above, which recommends replacing detailing on storefronts that have been obscured by later additions.

#### Front Door

##### ***Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances***

- 4) *Chapter 6.G recommends, “when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish.”*

##### ***Chapter 5: Routine Maintenance***

- 5) *Chapter 5 states the following is Routine Maintenance, “painting previously painted surfaces using the same color.”*

The proposed full light wood door will match the previously existing door that was destroyed in the 2018 flood and complies with the Guideline recommendations. The new door will be painted to match the previously existing color and is considered Routine Maintenance.

#### Exterior Brick Walls

##### ***Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry***

- 6) *Chapter 6.C recommends, “if a masonry wall or feature must be replaced, use material as similar to the original as possible, particularly if the materials are visible from a public road or are key elements of the building’s style or character.*
- 7) *Chapter 6.C recommends, “use mortar mixes that are compatible with early stone and brick.”*

A spec of the proposed infill brick and mortar was not provided, but any infill should match the existing brick and mortar in type and color.

## Awning

### ***Chapter 4: The Secretary of the Interior's Standards for Rehabilitation***

- 8) *Standard 10 states, "New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."*

The awning is not historic and dates to approximately 2000. The awning extends into the public-right-of-way and partially hides the storefront cornice on the building façade. The removal of the awning complies with the Secretary of the Interior Standards and will not negatively affect the integrity of the historic building.

## Entryway Tile Floor

### ***Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances***

- 9) *Chapter 6.G recommends, "when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish."*
- 10) *Chapter 6.GH recommends against "unnecessarily replacing original doors and entrance features on historic buildings."*

The tile floor is not historic; it was rebuilt in 2017 and was approved in case HPC-17-52. The floor is only being proposed to be temporarily removed and the tile work will be reconstructed in the future.

## **D. Staff Recommendation**

Staff recommends the HPC approve the application as submitted, contingent upon:

- 1) The storefront windows being restored to a pre-2016 condition.
- 2) The tile floor entryway be rebuilt in the future.

**E. Testimony**

Mr. Shad asked if there was anyone in the audience that was in opposition to the application that would like to testify. There was no one in the audience who wanted to testify. Mr. Hollenbeck was previously sworn in. Mr. Shad asked if Mr. Hollenbeck had any corrections or additions to the staff report. Mr. Hollenbeck stated he had two handouts in response to staff comments, the first was product data for alternate windows that DPW proposes to use and the second, is product data for the terra cotta repair mortar for the terra cotta façade.

Mr. Hollenbeck stated that in response to the staff comments, DPW looked into using an alternate window section. He explained that the existing windows are casement windows with a tilt function and the frame is 10 inches wide and quite bulky. He said DPW would install a fixed casement which would be direct set, without a brickmould, into the openings. Mr. Hollenbeck noted the basis for installing that type of window would allow DPW to use a laminated glazing, which is a manufactured product. This way DPW can also remove the window pane easily for future work on the building without having to take apart the storefront. Mr. Hollenbeck said that to make the window look correct, the trim work below the windows would need to be redone.

Mr. Hollenbeck explained the photos in his handout and said that he superimposed, in red, the visible light sizes for the windows that DPW is proposing. These measurements are the same width as the windows installed after the 1999 fire, however the height would be 4 inches less because the knee wall was rebuilt after the 2016 flood. Mr. Hollenbeck stated he is proposing to redo the trim on the lower inset panels with applied 1x2 and painted the trim the cream color similar to pre-2016 flood, to more closely resemble the proportions in the photo.



Mr. Hollenbeck stated the second handout provided included information on product data for terra cotta repair mortar, the façade is terra cotta as is some of the interior demising walls. Mr. Hollenbeck explained DPW would try to use a product compatible to mortar and the color would be selected from the manufacturers range to more closely match some previously repairs that were done with regular mortar. Mr. Hollenbeck stated he had tried to chip out the mortar and match more closely with the upcoming repairs to the building.

Mr. Reich stated that the building looks more like brick than terra cotta. Mr. Hollenbeck agreed. Ms. Tennor asked if the windows that are being proposed to be installed would resemble the windows prior to the first flood. Mr. Hollenbeck said the windows would more closely resemble the pre-flood windows.

Ms. Tennor asked for clarification on removing the tile flooring at the entrance of the building to put in a concrete slab. Mr. Hollenbeck explained that the front portion of the building that is parallel with Main Street has a floor that is wood framed with a one-inch concrete slab on top. Mr. Hollenbeck stated DPW is working to infill the basement with flowable fill so that there is not any sort of void space that would have the potential to rot out the underside of the floor. Mr. Hollenbeck explained that DPW needs to take out the whole wood structure, which is why the tile needs to be removed. Mr. Hollenbeck stated the current tile floor was installed after the 2016 flood and is adhered to the wood. He stated another large-scale construction project would be happening in the future at this location and the tile could be destroyed with that project, so he would prefer waiting until the renovation project was completed to handle the replacement of the tile floor. Ms. Tennor asked if the tile floor would go into storage. Mr. Hollenbeck said the tile was installed in 2016 after the first flood and is not historic tile.

**F. Motion**

Mr. Roth moved to approve as submitted with the addition of two contingencies offered by the staff. Mr. Reich seconded. The motion was unanimously approved.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.



**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work to restore the façade of a historic building that was severely damaged in the floods of 2016 and 2018. Although the building is historic, it was substantially rebuilt after a fire in 1999 and does not retain much of its original appearance. The Applicant proposes to restore the storefront windows to their pre-2016 appearance, including painting the trim black, which matches other existing trim on the building. This is in keeping with Guideline recommendations to restore original facades, including the frame size and profile of windows.

The Applicant also proposes removing a modern awning and support posts. The awning dates to approximately 2000 and partially hides the storefront cornice on the building façade. The removal of the awning complies with Guideline recommendations to restore original facades,

Finally, the Applicant proposes removing a tiled entryway, which is planned to be replaced in the future, after further necessary construction is complete. The tile is not historic and as a new tile entryway will be constructed in the future, the removal of the existing tile will not affect the historic value of the building.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair




the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

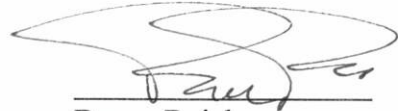
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

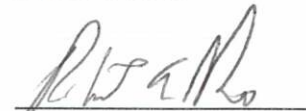
**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**



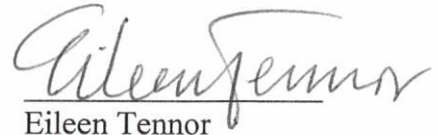
Allan Shad, Chair



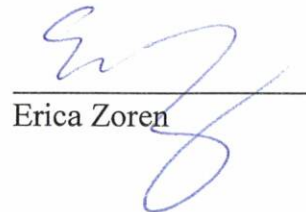
Bruno Reich



Drew Roth




Eileen Tennor



Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
TEMRAH OKONKSI

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
TO INSTALL A SIGN  
AT 8293 MAIN STREET  
ELLCOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-29

\* \* \* \* \*

### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of Temrah Okonksi (“Applicant”), for a Certificate of Approval to install a sign at 8293 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. Mr. Reich recused himself from the proceedings for this application. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.



### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The existing Sunrise Rotary Club sign was approved in June 1994 to be 18x24 inches.

#### **B. Proposed Improvements**

The applicant proposes to install a double-sided projecting sign on the corner of the front façade of 8293 Main Street, attached to and under the existing Rotary Club sign or installed on a new armature. The new sign will be identical in size and design but will not have the hours the group meets on the front as the Sunrise Rotary Club sign does. The sign will read: Ellicott City Rotary Club

Although the application form specifies the dimensions will 30 inches high by 18 inches wide, the Applicant has agreed to reduce the size of the sign to 24 inches high by 18 <sup>1/8</sup> inches wide to be the same dimensions as the existing sign (the applicant checked with the

sign maker of the existing sign, who provided the dimensions of 24 x18 <sup>1/8</sup>, which is a slight discrepancy from the 1994 approval).

The application does not specify the sign material. The applicant said that sign was going to be ½” thick exterior PVC by Komacel, but also agreed that it would be possible to use wood instead, to better comply with the Guidelines.

### **C. Staff Report**

#### ***Chapter 11.A: Signs, General Guidelines***

- 1) *Chapter 11.A recommends, “Use simple legible words and graphics.”*
- 2) *Chapter 11.A recommends, “Use a minimum number of colors, generally no more than three.”*
- 3) *Chapter 11.A recommends, “Use historically appropriate materials such as wood or iron for signs and supporting hardware.”*

The sign will use simple legible words and read “Ellicott City Rotary Club.” The sign will contain three colors: white, blue and yellow. The applicant agreed to amend the sign material to wood.

#### ***Chapter 11.B: Signs, Commercial Buildings***

- 4) *Chapter 11. B recommends, “If more than one sign is used to identify a building’s tenants, use signs that are similar in scale, harmonious in style and color, and located symmetrically or uniformly on the building.”*

The sign will match the shape and design of the existing Sunrise Rotary Club sign, so it will be harmonious in style and color with the existing sign. Generally, the sign complies with this Guideline recommendation, but since it is not the Sunrise Ellicott City Rotary club,

it may be more appropriate to remove the sun graphic from the proposed sign, as to not confuse the different Rotary clubs.

- 5) *Chapter 11.B recommends, "Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."*

The sign will be 3 square feet, which is slightly smaller than the recommended range. The size complies with the Guideline recommendations.

- 6) *Chapter 11.B recommends against:*

- a. *"Two signs where one is sufficient to provide an easily visible identification of the business."*
- b. *"More than two signs per business per façade."*
- c. *"More than one projecting sign per façade of a structure."*

The proposed sign is not a business sign, but rather indicates that a group has a regular meeting at this location. The proposal to add a second projecting sign with a new armature does not comply with Guideline 6.C, which recommends no more than one projecting sign.

The proposal to add an additional sign of the exact same design under the existing sign also does not comply with Chapter 11.B recommendations.

The additional signs would result in excessive signage on the building as the business, Tersiguel's, already has established signs on the building.

#### **D. Staff Recommendation**

Staff recommends the HPC provide guidance on adding a second sign. For example, since the applicant proposes to replace the existing sign in shape and design, is there an opportunity to combine the information for both signs onto one sign?



**E. Testimony**

Ms. Holmes stated that one Commission member had completed a suggested mock up for the sign. Mr. Shad asked if there was anyone in the audience opposed to the application that would want to testify. There was no one in the audience who wanted to testify. Mr. Shad swore in Temrah Okonski. Mr. Shad asked if Ms. Okonski had any comments about the staff report. Ms. Okonski stated she liked what the staff thought. Ms. Okonski stated she had not approached the Sunrise Club as she was not sure what the Commission would be thinking. Ms. Okonski explained that she liked the way the sign was drawn out with one hanging from the other. She explained that she wasn't sure what the next steps would be if the Sunrise Club didn't like the sign. The Commission, staff and the applicant discussed potential next steps with getting approval from the Sunrise Rotary Club.

Ms. Tennor explained that the Guidelines try to organize signs to fit together if there is more than one sign, and not have more than one armature. She explained that her design was an attempt to show how both clubs are meeting at one location. Ms. Okonski stated she liked the design. Ms. Zoren asked what the dimensions of the lower portion of the sign were. Ms. Tennor said the design was intended to be 18 inches wide like the existing sign, so it was possibly 6 inches tall. Ms. Okonski asked if the sign panels for Ellicott City Rotary and Sunrise Rotary would be 6 inches tall. Ms. Tennor said it might be a little taller, as she hadn't designed the exact dimensions. Ms. Okonski said she could give the sign company a total length and stated the signage company told her they could comply with anything the Commission wanted. Ms. Tennor stated there were probably some constraints from the Rotary International about displaying the logos and names, but the mock up seemed like a reasonable way to display both clubs. Ms. Okonski stated that Rotary International documented signage on their website with specifics regarding colors and fonts.

The Commission and the applicant discussed verbiage on the Ellicott City Rotary Club sign panel regarding adding a meeting time or the website url. Ms. Tennor stated she was not sure if it would fit within the constraints of the limit of words but suggested that the Ellicott City Rotary Club's website be an alternative to their hours.

Mr. Shad asked the Applicant was okay with staff recommendation that wood be used as the material for the sign. Ms. Okonski said the signage company could comply with the recommendations given on the sign. Mr. Shad asked if the signs would be double sided. Ms. Okonski confirmed the signs would be double sided. The Commission discussed the potential size of the sign. Mr. Taylor clarified that the Applicant was applying for a new sign to replace the existing sign. Mr. Taylor said that it sounded like the Commission had a consensus to approve the sign at no more than a total of 4-6 square feet and would allow the hours, or an alternative with the website address. Mr. Roth stated that is what he was trying to offer as a discussion.

**F. Motion**

Ms. Zoren made the following motion: In light of staff recommendations, the Commission will not approve a new hanging bracket for the sign, the applicant will re-use the same existing bracket on the building. The Commission would approve Exhibit A, a three-part sign. The top part of the sign showing the rotary logo, the second part showing limited text saying Sunrise Rotary Club, etc, and the third tier would say Ellicott City Rotary Club, with either their selected dates or website reference. The sign will be double-sided and made out of wood. The size limitation will be no greater than 4 square feet, 18 inches of width to match the existing sign, to fit on the existing bracket. Mr. Roth seconded. The motion was unanimously approved.

## **Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

### **A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 11 sets forth the relevant recommendations for Signs, as detailed in the Findings of Fact, part

C.

### **B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the



surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to add a sign for a community organization to a historic building where a similar sign already exists. In accord with Guideline recommendations to minimize signage, the Applicant has agreed to a sign that incorporates a new panel to the existing sign, as depicted in Exhibit A, attached hereto and made a part hereof. Overall, the new sign would be a slight alteration to the existing and function in a manner similar to a directory sign, which is preferred when more than one tenant occupies a building. The new sign will be in accord with Guideline recommendations on size and using minimal text, as only the name of the organization and either its hours, or its url, will be on the new part of the sign. The new sign is also in accord with Guideline recommendations on appropriate materials, wood, and colors, no more than three.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

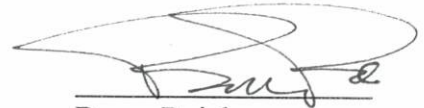
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 4 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval to install a sign at the Subject Property, is **APPROVED**, as amended and detailed herein. **HOWARD COUNTY HISTORIC**

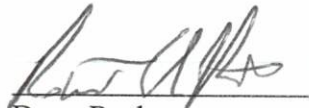
**PRESERVATION COMMISSION**



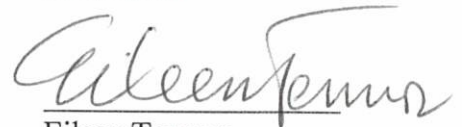
Allan Shad, Chair



Bruno Reich



Drew Roth




Eileen Tennor



Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
JOSEPH IACIA

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 8141 MAIN STREET  
ELLCOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-30

\* \* \* \* \*

### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of Joseph Iacia (“Applicant”), for a Certificate of Approval to install a sign at 8141 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.



### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. The building is not historic, and according to SDAT dates to 1987. The building was constructed after the previous building was destroyed in a fire.

#### **B. Proposed Improvements**

The applicant proposes to install two signs on the front façade of the building. Both signs would be made out of 6mm ACM panel (aluminum composite panels) with a black background and plotter cut white vinyl letters. Both signs would have a black and white border around the perimeter of the sign.

The first sign would be a double-sided projecting sign. The sign would be 1 foot 8 inches high by 2 feet 9 inches wide, for a total of 4.8 square feet. The sign would be hung on the existing bracket. The sign would read on two lines:

Vintage  
Chic

The second sign would be flat mounted on the front façade of the building, in the existing brown sign panel area. The flat mounted sign would be 1 foot 8 inches high by 10 feet 10 inches wide, for a total of 18 square feet. The sign would read “Vintage Chic” on one line.

**C. Staff Report**

***Chapter 11.A: Signs, General Guidelines***

*1) Chapter 11.A recommends:*

- a. “use simple, legible words and graphics.”*
- b. “keep letters to a minimum and the message brief and to the point.*
- c. “use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade.”*

The signs comply with recommendations A-C above as the signs will contain the name of the store in a readable script and will contain two colors, black and white.

*2) Chapter 11.A recommends:*

- a. “use historically appropriate material such as wood or iron for signs and supporting hardware.”*

The signs do not comply with recommendation 2.A, as the material will be aluminum composite panels with vinyl lettering.

***Chapter 11.B: Signs, Commercial Buildings***

*3) Chapter 11.B recommends against:*

- a. “two signs where one is sufficient to provide an easily visible identification of the business.”*

The proposal to install two signs on the front of the building does not comply with the Guideline recommendation.

- 4) *Chapter 11.B recommends, "incorporate the sign into the facade of the building. Sign should fit within the lines and panels of the façade as defined by the building frame and architectural details."*

The flat mounted sign is located in the panel above the storefront. However, the sign does not fit into the panel, as the background of the sign contains a significant amount of dead space, as does the panel on the building.

- 5) *Chapter 11.B recommends, "in most cases, limit the areas of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign. More sign area is appropriate for some of Ellicott City's larger buildings, where these limits would result in signs that are ineffective or not in scale with the building."*

The flat mounted sign is proposed to be a total of 18 square feet, which exceeds the size recommended by the Guidelines. The building is not large enough to warrant a larger sign.

- 6) *Chapter 11.B recommends, "limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."*

The projecting sign will be 4.8 square feet, which complies with the Guideline recommendation.



**D. Staff Recommendation**

Staff recommends the HPC approve the design of the projecting sign, in a material that complies with the Design Guidelines.

**E. Testimony**

Mr. Shad asked if there was anyone in the audience who was in opposition to the application that would like to testify. There was no one in the audience that wanted to testify. Mr. Shad swore in Joseph Iacia and Celeste Gebler. Mr. Shad asked if the applicants had any comments or clarifications on the staff report. Mr. Iacia stated they had no comments and that he understood what the Commission is looking for in terms of signage. Ms. Gebler said she is fine with using the one hanging sign. Ms. Tennor asked the applicants if they had a problem using a wood panel instead of aluminum for the sign materials. Mr. Icaia asked if the sign would need to be painted on top of the wood. Ms. Tennor stated the signage could be vinyl placed on the wood, and it would add a bit of dimension to the sign.

**F. Motion**

Mr. Reich moved to approve the application ; limited to the one hanging sign made of wood. Ms. Tennor seconded. The motion was unanimously approved.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;

- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 11 sets forth the relevant recommendations for Signs, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant initially proposed to install two signs but amended the application in accord with Guideline recommendations to only use one sign. The Applicant also agreed to use wood, which is a more appropriate material than ACM. The projecting sign will use simple words and graphics and is in accord with Guideline recommendations on size.

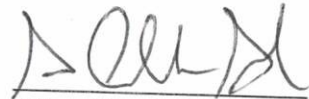
For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.



**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval to install a projecting sign at the Subject Property, is **APPROVED**, as detailed herein.


**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

  
Allan Shad, Chair

  
Bruno Reich


  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
MICHAEL SMITH

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 3877 COLLEGE AVENUE  
ELLCOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-31

\* \* \* \* \*

### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of Michael Smith (“Applicant”), for a Certificate of Approval for exterior alterations at 3877 College Avenue, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

The property is located in the Ellicott City Historic District. According to SDAT the building dates to 1937.

#### **B. Proposed Improvements**

The applicant proposes to replace the slate roof in-kind, with new slate and make repairs to the chimney. The roof replacement will include the following work:

- 1) Remove all existing, original slate and flashing from house.
- 2) Install 36" PSU 30 ice and water shield throughout eaves, valleys and penetrations.
- 3) Repair replace any damaged sub-roofing.
- 4) Install titanium synthetic roofing underlayment.
- 5) Fabricate C-4, 5-inch drip edge with 16 oz. copper and install along roof perimeter.
- 6) Install 16x random Vermont Gray/black slates with 7.5-inch exposure.
- 7) Fabricate and install new 16 oz. copper flashing. Seal all flashing.
- 8) Install copper ridge cap and 2-inch bronze snow guards.



The repairs to the chimney will include:

- 9) Repoint deteriorated mortar joints/cracks as needed, using a similar color mortar.
- 10) Install new concrete chimney crown.
- 11) Apply waterproof coating to entire brick chimney.

**C. Staff Report**

***Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry***

*1) Chapter 6.C recommends:*

- a. *"Maintain or restore original brick, stone, concrete block or stucco. Make repairs with materials that match the original as closely as possible."*
- b. *"Use mortar mixes that are compatible with early stone and brick."*

The application does not specify the type of mortar mix, other than it will be a similar color to the existing. The mortar should match the existing in color and type, so that it does not stand out as having been repointed and to avoid damage to the historic brick. Otherwise, the proposal to repair deterioration mortar complies with the Guideline recommendations. This work is eligible for tax credits, per Section 20.112 of the County Code.

*2) Chapter 6.C recommends against:*

- a. *"Applying water-resistant or water-proof coatings to the exterior of masonry. This may cause water to be trapped in the masonry and damage the material."*
- b. *"Changing the width of mortar joints in a masonry wall or repointing using incompatible mortar."*

The proposal to apply waterproof coating to the brick chimney does not comply with the Guideline recommendations, which specifically recommends against such coatings, as they can trap existing water in the brick and mortar, causing damage.

***Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters***

- 3) *Chapter 6.E recommends, "replace historic roof materials only when necessary due to extensive deterioration; use replacement material that matches or is similar to the original."*

The proposed replacement slate will match the original as closely as possible and complies with the Guideline recommendations. The in-kind replacement of the slate roof and associated work (Items 1-8) are eligible for tax credits per Section 20.112 of the County Code.

**D. Staff Recommendation**

Staff recommends the HPC approve Items 1-10 and recommends the HPC pre-approve tax credits for Items 1-10. Staff recommends the HPC not approve Item 11, the waterproofing, which does not comply with the Guidelines.

**E. Testimony**

Mr. Shad asked if anyone in the audience wanted to testify. There was no one in the audience who wanted to testify. Mr. Shad swore in Michael Smith. Mr. Shad asked if he had any corrections or additions to the staff report. Mr. Smith stated he had no comments, but in respect to item 11, the flood proofing of the chimney, he had obtained a Gore-tex sealant that wicks water away and is unlike silicone materials. He said the sealant would not retain water, that it would shed water and the seal would last for 11 years.

Ms. Tennor asked how the materials would be reversed, if one wanted to remove it after it was placed and whether over an 11-year time period the material would degrade. Mr. Smith stated that the sealant preforms its waterproof function and one would not want to remove it. The sealant would need to be replaced after 11 years to continue to waterproof the

chimney. Mr. Smith stated the crown of the chimney has deteriorated and he would like to do something to corrective, the mortar will match as closely as he can to the color that is currently there. Mr. Smith would like to enhance the longevity of the chimney and apply this material that would assist in the effort.

Mr. Reich asked if the material was clear and would soak into the brick. Mr. Smith stated the sealant was not a coloring and it would not discolor the brick. Mr. Smith explained that the product would absorb in the brick.

Mr. Reich asked if it could be part of the tax credit approval as the sealant will be put on the chimney to help preserve the structure. Ms. Zoren stated that staff's initial objection to the waterproofing coating was due to the typically waterproofing is opaque coloring that would obscure the brick. She said that if this sealant is clear, the Commission would be willing to look at it. Mr. Smith stated he could present the product information to the staff.

Ms. Holmes clarified the language in the Guidelines that recommend against waterproof coatings because it can damage the masonry materials. Mr. Smith said that he would avoid any material that would accelerate deterioration of the brick.

Ms. Tennor stated that the photo Mr. Smith provided indicates the new slate is much thinner than the existing slate on the house. Mr. Smith stated the new slate will be the same thickness. He said that slate deteriorates over time. He explained that the house was built in 1936 and said the current roof is 80 years old and needs to be replaced.

**F. Motion**

Mr. Reich moved to approve the application as submitted, including the sealant in Item 11, with the understanding that the sealant is a clear sealant and does not affect the appearance of the brick. Mr. Roth seconded. The motion was unanimously approved.



### **Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

#### **A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

#### **B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the

surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work to restore and preserve a historic slate roof and brick chimney. Primarily the work constitutes Routine Maintenance, but this is conditioned on the slate being in-kind in size and color to the existing. Similarly, the chimney repairs are conditioned on the use of appropriate color mortar and that the waterproof sealant not discolor the brick.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

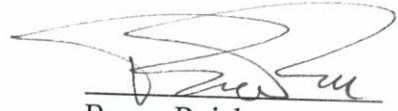
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.


**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**



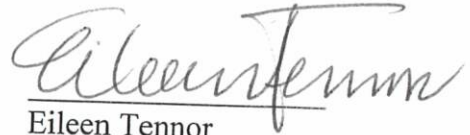
Allan Shad, Chair



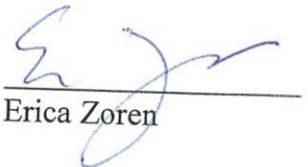
Bruno Reich



Drew Roth




Eileen Tennor



Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.



IN THE MATTER OF  
THE APPLICATION OF  
THE FUND FOR ART IN  
ELLCOTT CITY

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BEFORE THE  
HOWARD COUNTY  
HISTORIC PRESERVATION  
COMMISSION  
Case No. 19-32

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 8289 MAIN STREET  
ELLCOTT CITY, MARYLAND

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### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of The Fund for Art in Ellicott City (“Applicant”), for a Certificate of Approval for exterior alterations at 8289 Main Street, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative for the Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920. According to Joetta Cramm's book, *Historic Ellicott City*, the building was used as the Ellicott City Garage, a Ford agency. The building was altered in the 1970s/80s and restored in 2016.

The exposed brick wall on the east side of the building, where the mural is proposed, was historically not a visible wall. Prior to the construction of the neighboring Post Office, there was a historic building adjoining the subject building. The building was torn down for the construction of the Post Office, which left the wall of the subject building visible.

The Commission provided Advisory Comments on the proposed murals in September 2018 and March 2019. In March 2019 the Commission noted that the brick on the side of the building was in poor condition, so it would be acceptable to paint directly onto the brick in that area.

**B. Proposed Improvements**

The applicant seeks approval to paint two murals on the side of the building. The main mural will show the interior showroom floor of the Ford Dealership. The second mural, to be located to left of the main mural, will show a mechanic working on a car. The application explains that the only changes from the March 2019 Advisory application is that the mural has been extended down to the sidewalk and the pedestrians reflect more diversity.

The primary mural will show the inside of the Ford Dealership, depicting vintage model cars. The mural will use muted paint colors and will include:

- 1) Various shades of Venetian Red will be used to create the appearance of bricks.
- 2) Oyster Beige will be the color of the Model T car.
- 3) Different shades of pale gray will be used to create the appearance of the tin ceiling.
- 4) Upsdell Red will be used for the other model car.
- 5) Seaweed Green will be used on the jacket of a pedestrian.
- 6) Hazelwood Beige will be used to create the appearance of the interior floor.
- 7) Additionally, a few blues, browns, grays, black and white will be used.

**C. Staff Report**

***Chapter 11.B: Signs, Commercial Buildings***

- 1) *Chapter 11.B states, "Painting a sign directly on a wall of other structural part of a building is not permitted by the County Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code. Well-executed artwork such as wall mural can make a positive contribution to*



*the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission."*

The Guidelines do not contain any other recommendations specific to murals. The proposed mural does meet the qualifications to be considered a mural rather than a sign as it will not be advertising a business. The mural also directly relates to the history of the building, which was originally a Ford dealership.

***Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry***

- 2) *Chapter 6.C recommends against, "painting historic stone or historic brick that has never been painted or removing paint from masonry walls that were originally painted."*

The proposed mural will be painted directly onto brick that has never been painted. However, as explained above, historically this wall was not visible because it adjoined a neighboring building and as a result, the brick to be painted is in poor condition. The current context of the building has been changed from its original configuration in that the side is now visible. The Guideline prescribing painting unpainted brick was intended to maintain the character of exposed brick and does not apply in this instance because this brick was never meant to be exposed.

***Section 16.607. - Standards for Review***

(a) *Elements for Consideration.* In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) *The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*

(2) *The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*

(3) *The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*

(4) *Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

The above section of code, Section 16.607, provides guidance for the Commission to use in its review of the mural given that the Guidelines do not otherwise provide recommendations specific to murals. The mural will be in scale with the building and will be located on the side of the building that was not historically visible. The mural will not detract from the integrity of the restored front façade.

**D. Staff Recommendation**

Staff recommend the HPC approve the mural as submitted.

**E. Testimony**

Mr. Shad asked if anyone in the audience was in opposition to the application or wished to testify. Lisa Wingate stated she would like to ask a question. Mr. Shad swore in Kimberly Egan from the Fund of Art in Ellicott City and Antonia Ramis Miguel, the artist for the mural. Mr. Shad asked the applicants if they had any corrections or additions to the staff report. Ms. Egan stated that she and Ms. Miguel wanted to discuss with the Commission the preparation of the brick wall for the paint, as the wall is in poor condition with lumps of masonry coming out. Ms. Egan explained that in order for Ms. Miguel to paint the wall there would need to be some kind of smoothing out of the surface before the project begins. Ms.

Egan stated the wall will be primed before paint is put on the brick but wanted to get the Commission's suggestions on how to smooth out the brick wall.

Mr. Reich stated that the brick wall would need to be parged to give the wall a flat appearance. He said the parging could be attached to the masonry, if the masonry is clean. Mr. Reich recommended adding a scratch coat, a base coat, and a finish coat or a 3-coat stucco process in order to give that smooth look on the wall. He said this process would not destroy the historic brick and if anyone wanted to remove the mural in the future, the stucco could be peeled off and the original brick would still be there. Ms. Miguel stated that there are some parts of the wall that have cement protruding out. Mr. Reich said the applicants would need to chip the cement off, and the removal of the cement would not affect the historic nature of the wall. He said the original wall was covered as there was another building connected to the it, so the wall was covered up. Ms. Egan stated the area with the second part of the mural where the mechanic will be located was not obscured by another building wall and she wanted to make sure the Commission was okay with the applicants parging the wall. Mr. Reich stated that in the previous meetings that the Commission had with the applicants, the Commission identified this wall as being a good place for a mural.

Ms. Egan stated the only changes that were made to the mural since the previous meeting the mural had received Advisory Comments, was that Ms. Miguel made the pedestrians a little more diverse and the pedestrians were lowered down closer to the sidewalk since they received a comment about having the pedestrians reaching closer to the sidewalk.

Ms. Tennor asked about the process of applying parging to the wall to create a smooth surface and then creating the illusion of an irregular void, when one is viewing the mural. Ms. Tennor stated that this process would need to be carefully done so that Ms. Miguel does not



end up with a hard edge that fights against the illusion she is trying to create at the periphery of the image. Ms. Miguel said she would be painting it to appear as if the wall is broken through. Ms. Egan asked for clarification of Ms. Tennor's concern of the image appearing 3-dimensional if the periphery is also jagged. Mr. Reich stated the concern would be the edge of the parging is going to make it look obvious that there is a separation between the painting and the original wall. Ms. Miguel stated that the orientation of the brick will be the same as the actual mural. Ms. Miguel said at the top of the wall, the main part of the mural she will be painting will be 20' wide by 10' high, and the corner of the wall that has a triangle at the top will not be part of the mural, but she would like to paint the brick so that it appears that is part of the actual wall, in order to restore the look of it.

Ms. Tennor asked if the pedestrian figures are going to be appearing in front of the conduit that is attached to the wall. Ms. Tennor asked how Ms. Miguel will be achieving the look. Ms. Miguel stated that the people will be painted over the conduit and will be life size to appear that they are actually standing at the mural. Mr. Reich asked what the life expectancy of the painting will be. Ms. Miguel stated the life expectancy will be years, the wall will be primed, the paint selected is very durable to weather, and the mural will be sealed. Ms. Egan stated the Fund for Art in Ellicott City could always have Ms. Miguel come back to touch up the wall.

Ms. Holmes asked about the specifications to what the parging materials should consist of so that the parging does not trap water behind the wall and cause further damage to the brick. Mr. Reich stated parging itself is porous, so it will breath. Ms. Holmes stated she wanted to ensure the applicants would not use a Portland cement. Mr. Reich stated the applicants could use a fiber stucco mix. Ms. Miguel asked if she could use mortar. Mr. Reich

stated that it is almost exactly like mortar and discussed different suppliers that could help Ms. Egan and Ms. Miguel obtain the correct materials they would need for parging.

Mr. Shad stated that there was an audience member that would like to ask questions. Mr. Shad swore in Lisa Wingate. Ms. Wingate asked how the applicants would be fixing the rugged masonry wall. Mr. Shad responded the applicant would be fixing the wall with parging. Ms. Wingate asked about the floor of the showroom being depicted hip high on the larger than life man, she wanted to know if the floor could be lowered to resemble the actual height of the building floor. Ms. Miguel stated it could be lowered to have it be the same height as the actual store. Ms. Wingate had no further questions.

**F. Motion**

Mr. Reich moved to approve the application as submitted with the specifications of parging to be submitted to staff, for approval by staff. Mr. Roth seconded. The motion was approved unanimously.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:



It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes painting a mural on the wall of a historic building. The Guidelines advise that wall murals "can make a positive contribution to the Historic District. Although the Guidelines recommend against painting brick that has never been painted, the wall in question was historically not exposed as it joined another building, now gone. The brick itself is in poor condition. Thus, the Commission identified this location as appropriate for a wall mural.

The mural will be executed by a professional artist and has a historic theme that is directly related to the former use of the building as an automotive workshop and dealership. The mural will enhance the historic character of the building by adding a relevant interpretive



element, which also enhances the historic value of the District as a whole. The mural is compatible with the surrounding area and will not use unduly bright colors, or colors inconsistent with the neighboring structures. The wall will be parged in a fashion that will allow the removal of the mural in the future, without damaging the historic brick.


For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

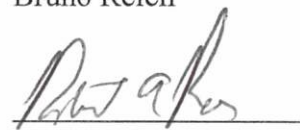
### ORDER AND CERTIFICATE OF APPROVAL

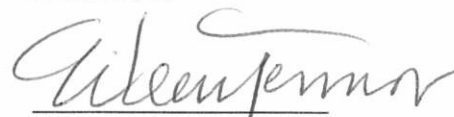
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED contingent on Staff approval of the wall surface treatment, or "parging."**

#### HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

  
Allan Shad, Chair

  
Bruno Reich

  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
Lewis Taylor  
Senior Assistant County Solicitor

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IN THE MATTER OF  
THE APPLICATION OF  
THE FUND FOR ART IN  
ELLCOTT CITY

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 8249 MAIN STREET  
ELLCOTT CITY, MARYLAND

\* BEFORE THE  
\* HOWARD COUNTY  
\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-33

\* \* \* \* \*

### **DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on June 6, 2019 to hear and consider the application of The Fund for Art in Ellicott City, Inc. (“Applicant”), for a Certificate of Approval to install a mural at 8249 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission, including the minutes of the March 7, 2019 Advisory Comments meeting; (4) the Agenda for the June 6, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.



### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative for the Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920.

The Commission provided Advisory Comments on the proposed murals in September 2018 and March 2019. At the March 2019 meeting, the Commissioners expressed concern about having a mural on the side of this building. The Commission commented that they liked the proposal for the aerial map, but there was not agreement on an appropriate size and scale. The Commission also expressed their support for having elements of the National Road mural depicted on the building.

#### **B. Proposed Improvements**

The applicant seeks approval to paint the mural showing the aerial view of the historic district with the Sanborn maps and a brick or cobble (it is unclear which) sidewalk underneath. The mural will be painted on brushed aluminum panels, which will then be installed on the

brick exterior walls of the building. The small squares running horizontally across the mural will be enclosed plastic boxes to hold business cards for the shops.

**C. Staff Report**

***Chapter 11.B: Signs, Commercial Buildings***

- 1) *Chapter 11.B states, "Painting a sign directly on a wall of other structural part of a building is not permitted by the County Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code. Well-executed artwork such as wall mural can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission."*

The proposed mural will act as a sign if it contains the business card holder, as it will be advertising businesses. If the mural is to be reviewed as a sign, there are stricter guidelines in place that regulate color and size.

***Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry***

- 2) *Chapter 6.C recommends against, "painting historic stone or historic brick that has never been painted or removing paint from masonry walls that were originally painted."*

The side of this building has always been exposed and did not adjoin another building. The mural will not be painted directly on the brick of the building, which has never been painted. The mural will be painted on an aluminum panel and mounted to the building.

### ***Chapter 11: Signs***

- 3) *Chapter 11 recommends, “on masonry walls, drill into the mortar joints rather than into the stone or brick to attach fasteners for the brackets supporting the sign.”*

Although the mural is not intended to be a sign, this recommendation applies. The application does not currently address the installation method and what will be required to secure the panels safely to the building. The mural should be securely fastened into the mortar, rather than the brick because once removed, it is significantly easier to repointing the mortar, versus replacing damaged bricks to match the historic brick.

### ***Chapter 4: The Secretary of the Interior’s Standards for Rehabilitation***

- 4) *Standard 10 states, “New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”*

Because the mural will only be adhered to the building with panels, once it is removed and the mortar repointed, the integrity of the building will be unimpaired.

### ***Section 16.607. - Standards for Review***

(a) *Elements for Consideration.* In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) *The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*
- (2) *The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*
- (3) *The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*



(4) *Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

The above section of code, Section 16.607, provides guidance for the Commission to use in its review of the mural given that the Guidelines do not otherwise provide recommendations specific to murals. The mural does not seem to be in scale with the building.

**D. Staff Recommendation**

Staff recommends the HPC approve the mural without the business card holders. If the business card holders are to remain, they should be evaluated consistent with the Sign Guidelines and regulations.

**E. Testimony**

Ms. Egan was already sworn in. Mr. Shad asked if there was anyone in the audience who was opposed to the application that would like to testify. There was no one in the audience that wanted to testify. Mr. Shad asked if Ms. Egan had any comments on the staff report. Ms. Egan explained that the cobblestones are a replication of the Tiber Alley cobblestones. She said the cobblestones were included in the mural rendering because at the Advisory Comment meeting, the Fund for Art in Ellicott City received a comment about how the mural would look if it extended down closer to the sidewalk. Ms. Egan said that the proposed rendering addresses that issue carrying the cobblestone down to the ground. Ms. Egan said that the artist was flexible with using this image (Figure 14) or the original submitted image. She said the building owner has given the artist free reign to paint whichever image the Commission approved.

Ms. Egan stated that regarding the business cards, the artist, Wiley Purkey, thought of the concept not for signage, but as wayfinding to supplement the map. She said the business

cards would show the viewer where they would need to go and how they could there. Ms. Egan said the slots on the mural would hold the business cards and allow the business cards to be swapped out as businesses change. She understood if the Commission viewed the business cards as signage.

Mr. Roth asked who would be putting the business cards into the slots on the mural and who would be deciding which business cards would be put into the slots. Ms. Egan stated the Fund for the Art in Ellicott City would be placing the cards in the slots, and she said the hope is to have a business card for each business that they could get. Ms. Egan said they would only leave out businesses that did not want to be included in the mural. Mr. Roth asked if the slots would be used as business card dispensers and if those viewing the mural could take business cards. Ms. Egan said it would not be a dispenser and explained the slots would be permanently enclosed so the business cards would not get wet. Mr. Roth stated if the business cards were permanent it could be seen as a sign. Ms. Egan stated that the slots could be updated as needed.

Ms. Holmes asked if Ms. Egan had specifications for the business card holder. Ms. Egan said she would need to get that information from Mr. Purkey, as he had a clear vision for the kind of plastic he would use to keep the cards visible and dry, that would keep the plastic from getting cloudy.

Ms. Tennor asked for details of how the mural panels would be affixed to the exterior building wall. Ms. Egan stated the staff comments suggested to bolt the panels to the mortar and not to the brick, which the Fund for the Art in Ellicott City would follow. Ms. Tennor asked about space between the panels and the wall, and asked if the applicant knew how much space would be there. Ms. Egan stated there would not be much space as she did not want the

panels to interfere with pedestrians and to ensure that nothing could collect behind the panels. Ms. Tennor asked for details of how the panels would attach to the wall and how the applicant planned to avoid having space behind the panel. Ms. Egan and Ms. Tennor discussed building a reveal around the mural so that debris and water would not collect behind the mural and damage the brick. Ms. Egan stated that could be done easily.

Ms. Egan noted that there were currently two banners that were mounted to the brick instead of the mortar on the side of the building where the mural was going to be bolted. She stated the owner did not like these banners and that the Fund for Art in Ellicott City would be happy to remove the banners while installing the mural. Ms. Holmes stated the banners had not been approved. Mr. Taylor clarified that Ms. Egan did not need permission to remove them.

The Commission and staff discussed whether the business card holder was considered a mural or whether it turned the mural into a sign, and if the application should be evaluated against the sign guidelines. If the mural was reviewed as a sign, the Commission would apply different criteria to it than a mural. Mr. Roth asked Ms. Egan if she had received or would be receiving any form of compensation from the businesses whose cards would be going on the mural. Ms. Egan stated that she had not received any form of compensation, and stated she is not being paid to market any of the businesses.

Ms. Tennor stated that she felt the business cards were a part of the mural, in the way that a business may be part of a collage. She said that while there is information that can be used to locate a business, the business cards are an artifact of the mural and not a sign. Mr. Reich stated the previous mural incorporated the Ford logo. Ms. Egan stated that she and Mr. Purkey view the business cards as being supplemental to the map, and as part of the map. Mr.



Reich stated there were 42 spaces for the cards, and he hopes there are 42 businesses to put cards in the slots. Mr. Egan stated that the Fund for Art in Ellicott City will put as many retailers as there are in the mural. Ms. Zoren asked if the artist was concerned about the business cards being a mishmash of different font size and color that could detract from his nice muted painting. Ms. Egan stated that artist was not concerned as the cards were no bigger than a business card. Mr. Roth stated that the differences in color of the cards would only come into play if the Commission was trying to apply sign regulations to the application. Mr. Roth said that the Commission should determine this application was not a sign and was a mural. Mr. Reich and Ms. Tennor agreed with Mr. Roth.

Mr. Reich stated he did not understand the portion of the mural that contained the cobblestone. Ms. Egan explained that the cobblestones were added to the mural due to comments at the previous meeting, asking how the mural would look if it spanned further down the wall to the sidewalk. Ms. Egan said the proposal submitted was the result of those comments. She explained that the cobblestone was a representation of Tiber Alley but said the mural could also look like the previous submission and just contain the map and schematics. Mr. Reich said the cobblestone did not add anything to the mural and it conflicted with the brick sidewalk, and he would prefer the just the map on the mural. Ms. Zoren agreed that she preferred the shortened version without the cobblestone, which kept more focus on the map and the artwork. Ms. Zoren stated she was concerned if the mural spanned too far down the wall that people may kick the mural and it would be more prone to damage the closer it is to the ground. Ms. Egan said they could paint the version without the cobblestone, but make the painting bigger and have the street portion of the mural be around eye level of the person viewing the mural. Mr. Reich asked if the mural the map would continue down without

the cobblestone. Ms. Egan said the applicant would expand the whole mural to be larger, but that it would still be proportional and keep the same relational dimensions.

Mr. Taylor said the Advisory Comments from the prior meeting were incorporated into the record by reference. Ms. Tennor located a copy of the previous version of the mural submitted back at the March 2019 meeting. Ms. Zoren, Mr. Roth and Mr. Reich stated they preferred the March 2019 version of the mural. Mr. Roth added that the cobblestone from Tiber Alley created chaos with the existing brick sidewalk. Mr. Taylor asked if Ms. Egan was willing to amend the application to the mural that was previously submitted. Ms. Egan confirmed that she would like to amend the application.

Mr. Shad asked if returning to the March 2019 version of the mural would mean that the mural would be doubling the number of the business cards. Ms. Egan stated Mr. Purkey had not counted the number of business cards on that version of the mural, he was trying to represent his vision with that version. Ms. Egan stated that they may receive many business cards which could potentially cause the need of an additional row, but she would be willing to come back before the Commission to request additional rows if needed. Ms. Egan stated the Fund for Art in Ellicott City did not want to be in a position of excluding businesses from the mural.

Mr. Shad said he was concerned with adding another row to the mural and opposed to the whole business card idea, but felt that a second row would be going overboard. Mr. Reich stated that there are probably about 100 businesses in Ellicott City, so one line of 42 business card slots would not be enough if everyone wanted to be included. Ms. Tennor stated she felt the version of the mural brought tonight, without the cobblestone, contained a grid where the business cards are located, which the previous version did not have. She said the grid was

more organized. Mr. Reich said the business card aspect looked like a railroad track. Mr. Reich suggest the Commission approve one line for the business card holders, and the applicants can return if they want to have a second row approved.

Mr. Reich stated the Commission was approving the version without the cobblestones, the original submission. Mr. Taylor clarified the Commission was approving the image with the location of the business cards and not an image with the random placement of the business cards. Ms. Tennor agreed. Mr. Roth stated the Commission was approving the image where the business cards run along Frederick Road, the Sandborn map of Ellicott City, and no cobblestone, as opposed to the image where the business cards run along the side of the railroad track. Ms. Egan stated she understood.

**F. Motion**

Mr. Roth moved to approve the design as submitted, with the removal of the cobblestones, so that the bottom of the panels will be raised to the point comparable to the original submission. Ms. Tennor seconded. The motion was approved 4 to 1, Mr. Shad opposed.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and



- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C. In addition, Chapter 11 sets forth the relevant recommendations for Signs, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes painting a mural on panel to be mounted on the wall of a historic building. The Guidelines advise that wall murals "can make a positive contribution to the Historic District. The mural will show an aerial view of the historic district with historic Sanborn maps and will include a single row of business cards from businesses on Main Street,

whose locations are depicted on the maps. The mural will be painted on brushed aluminum panels, which will then be installed on the brick exterior walls of the building.


The mural will be executed by a professional artist and has a historic theme that is directly related to the history of the District. The mural will enhance the historic value of the District by adding a relevant interpretive element. The mural is compatible with the surrounding area and will not use unduly bright colors, or colors inconsistent with the neighboring structures. The mural will be mounted so that it will not damage the wall and may be removed in the future.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

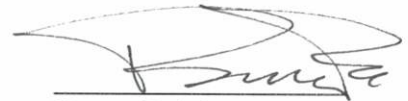
### ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 4 to 1, it is this 11 day of July, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval to install a mural at the Subject Property, is **APPROVED**, as detailed herein.

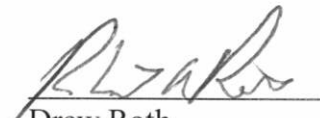
#### HOWARD COUNTY HISTORIC PRESERVATION COMMISSION



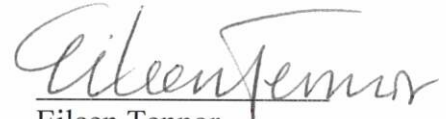
Allan Shad, Chair




Bruno Reich



Drew Roth



Eileen Tennor



Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor

Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.